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1 SHERYL A. STRAIN  
CHAPTER 7 TRUSTEE  
2 575 E. ALLUVIAL AVE., #101  
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5 UNITED STATES BANKRUPTCY COURT  
6 EASTERN DISTRICT OF CALIFORNIA  
7

8 In the Matter of: ) Case No.: 11-16443-B-7  
9 )  
MICHAEL GUTIERREZ and ) DC No. SAS-1  
10 )  
MARISA RACHELLE RICKERT ) **TRUSTEE'S MOTION FOR**  
11 ) **AUTHORIZATION TO SELL**  
12 ) **PERSONAL PROPERTY**  
13 )  
14 Debtors )  
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17 1. Sheryl A. Strain is the duly appointed qualified and acting Trustee of the above-  
18 entitled estate.

19 2. The above-captioned case was filed under Chapter 7 on June 3, 2011, and  
20 Sheryl A. Strain was appointed Chapter 7 Trustee.

21 3. After investigating the debtors' schedules and duly conducting the §341(a)  
22 Meeting of Creditors, the Trustee discovered that the debtor, Michael Gutierrez, had a secured  
23 promissory note for property at 2125 Princeton Street, Delano, California on which Miguel  
24 Amaya was the payor ("The Note"). The Note has a current face value of \$22,842.34.

25 4. The Trustee has calculated the present value of the future income stream of this  
26 note.

27 5. The Trustee and Miguel Amaya, have reached an agreement wherein The Note  
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will be paid in full by a lump sum payment of Fifteen Thousand 00/100 Dollars (\$15,000.00).

The total sum of \$15,000.00 has been received by the estate and deposited into an estate account.

6. There is an outstanding loan secured by the note in the amount of \$8,372.45.

This transaction will not have tax consequences. After payment of the lien, the Trustee expects the estate to net \$6,627.55.

**WHEREFORE**, the Trustee prays that after appropriate notice and opportunity to be heard, she be authorized to sell the above-described asset to Miguel Amaya for the total sum of \$15,000.00.

**DATED:** 10/24/11

/s/ Sheryl A. Strain  
Sheryl A. Strain  
Chapter 7 Trustee